



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/576,493	04/20/2006	Masahiko Yoshida	Q93289	3748
72875	7590	02/27/2009	EXAMINER	
SUGHRUE MION, PLLC			KAU, STEVEN Y	
2100 Pennsylvania Avenue, N.W.				
Washington, DC 20037			ART UNIT	PAPER NUMBER
			2625	
			NOTIFICATION DATE	DELIVERY MODE
			02/27/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTO@sughrue.com
kghyndman@sughrue.com
USPatDocketing@sughrue.com

Office Action Summary	Application No.	Applicant(s)	
	10/576,493	YOSHIDA, MASAHIKO	
	Examiner	Art Unit	
	STEVEN KAU	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 28 October 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-29 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 20 April 2006 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/8/2008, 4/20/2006</u> . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

1. This is the initial office action based on the application PCT filed on October 28, 2004.

Preliminary Amendment

2. Applicants filed a preliminary amendment on April 20, 2006:

- Claims 18 and 21 have been amended.
- Claims 28 and 29 are added.
- Claims 1-29 are pending for further examination in this Action.

Information Disclosure Statement

3. The information disclosure statements (IDS) submitted on 07/08/2008 and 04/20/2006 are in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Priority

4. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copies have been filed in parent Application N0. 10/576,493 on 10/28/2004.

Remarks

5. Should amendment be made, applicant is reminded to comply with 37 U.S.C. 1.173(c), which requires that “Whenever there is an amendment to the claim pursuant to paragraph (b) of this section, there must also be supplied, on pages separate from the pages containing the changes, the status (i.e. pending or canceled), as of the date of the amendment, of all patent claims and of all added claims, and an explanation of the support in the disclosure of the patent for the changes made to the claims”

Double Patenting

6. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the “right to exclude” granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

7. Claims 1-23, and 25 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1- 3 and 11 of US 7,347,524.

This is a nonstatutory obviousness-type double patent rejection.

Claims 1-23 of the pending application (10/576,493) are drawn to a printing method for printing an image onto a medium. Claim 1, limitations recite, “the method comprising: printing a correction pattern by ejecting ink from a plurality of nozzles moving in a predetermined movement direction and forming, in an intersecting direction intersecting the movement direction, a plurality of lines extending along the movement direction and constituted by a plurality of dots; measuring a darkness of the correction pattern line by line; and printing the image with a plurality of the lines formed in the intersecting direction, while correcting the darkness of each line in accordance with correction values each corresponding to the darkness of each of the measured lines.”

Claims 1-3 of US 7,347,524 disclose similar claim limitations as claims 1-2 of the pending application.

Re. Claim 1-3 of US 7,347,524 are also drawn to a printing method. Claim 1, limitations recite, “a) a step of printing a correction pattern on a medium, wherein said correction pattern: is constituted by a line group including a plurality of lines arranged in an intersecting direction that intersects a movement direction of nozzles, each of said lines being made of a plurality of dots arranged in said movement direction, and is printed by alternately repeating an operation of ejecting ink from a plurality of said nozzles and an operation of moving said medium in said intersecting direction; (b) a step of setting for each of said lines a correction value for correcting a darkness in said intersecting direction of an image to be printed on said medium, wherein each of said correction values is set based on a darkness of a plurality N lines that are adjacent to one another in said intersecting direction, in said line group, including the line whose

correction value is to be set: and wherein said correction value is set to a value that is shared by said N lines; and (c) a step of printing said image on said medium based on said correction values that have been set for each of said lines.”

Both claims 1 teach a printing method for printing a correction pattern on a medium. Both claims 1 teach movements of nozzles intersecting with the movement direction of lines printing. Both claims 1 teach printing a plurality of lines. Both claims 1 teach measuring or setting darkness of the correction pattern and correcting the darkness of each line in accordance with correction values each corresponding to the darkness of each the measured or set lines. Both claims 1 teach correcting the darkness of each line in accordance with correction values. ‘493 teaches the darkness is measured line by line and the correction values each corresponding to the darkness if each measured lines. ‘524 does not teach that the darkness is measured line by line. ‘524 teaches setting for each line a correction value based on a darkness of N lines and correcting the darkness of each line. However, without measuring the darkness of lines, it is impossible to set for each line a correction value based on a darkness of N lines and correcting the darkness of each line. Thus, it must obtain or measure the darkness line by line. The above described difference between the claims are obvious variations of each other.

Claim 2 of the instant application ('493) teaches “a plurality of the lines are formed in the intersecting direction by repeating in alternation a dot formation operation of forming dots on the medium by ejecting ink from a plurality of the nozzles moving in the movement direction and a carrying operation of carrying the medium in the

intersecting direction". Claim 1 of '524 teaches "each of said lines being made of a plurality of dots arranged in said movement direction, and is printed by alternately repeating an operation of ejecting ink from a plurality of said nozzles and an operation of moving said medium in said intersecting direction". Even the wordings are not identically the same, but the meaning is the limitation is substantially identical. For example, "lines are formed in the intersecting direction by repeating in alternation a dot formation operation of forming dots" carries the same meaning of "each of said lines being made of a plurality of dots arranged in said movement direction, and is printed by alternately repeating an operation of ejecting ink from a plurality of said nozzles". Thus, the above described difference between the claims are obvious variations of each other. Claims 3-23 are rejected for depending on claim 1.

Claim 25 of the instant application ('493) is directed a printing apparatus. Claim 25, limitations recite, "nozzles for ejecting ink; and a controller for making a plurality of the nozzles that move in a predetermined movement direction eject ink to form, in an intersecting direction intersecting the movement direction, a plurality of lines extending along the movement direction and constituted by a plurality of dots, to print a correction pattern, the controller printing the image with a plurality of the lines formed in the intersecting direction, while correcting a darkness of each of the lines in accordance with correction values each corresponding to a darkness of each line in the correction pattern."

Claim 11 of '524 is also directed to a printing apparatus, And its limitations recite, "nozzles for ejecting ink; a carry unit for carrying a medium in an intersecting direction

that intersects a movement direction; and a controller for controlling ejection of ink from said nozzles and carrying of the medium by said carry unit, said controller configured to control the printing apparatus to: (A) print a correction pattern on the medium using said nozzles and said carry unit, wherein said correction pattern: is constituted by a line group including a plurality of lines arranged in the intersecting direction that intersects the movement direction, each of said lines being made of a plurality of dots arranged in the movement direction of the nozzles, and is printed by alternately repeating an operation of ejecting ink from a plurality of said nozzles and an operation of moving said medium in said intersecting direction; (B) set for each of said lines a correction value for correcting a darkness in said intersecting direction of an image to be printed on said medium, wherein each of said correction values is set based on a darkness of N lines that are adjacent to one another in said intersecting direction, in said line group, including the line whose correction value is to be set, and wherein said correction value is set to a value that is shared by said N lines; and (C) print, using said nozzles and said carry unit, said image on said medium based on said correction values that have been set for each of said lines."

Both claims 25 and 11 teach nozzles for ejecting ink; a controller to control the nozzle movement intersecting to printing direction, to print a correction pattern; and correcting darkness of each line. '493 teaches a controller for making a plurality of the nozzles that move in a predetermined movement direction and correcting a darkness of each of the lines in accordance with correction values each corresponding to a darkness of each line in the correction pattern. '524 does not teach that a controller for

making a plurality of the nozzles that move in a predetermined movement direction and correcting a darkness of each of the lines in accordance with correction values each corresponding to a darkness of each line in the correction pattern. But '524 teaches a controller for controlling ejection of ink from said nozzles and carrying of the medium by said carry unit and a line group including a plurality of lines arranged in the intersecting direction that intersects the movement direction, and set for each of said lines a correction value for correcting a darkness in said intersecting direction of an image to be printed on said medium, wherein each of said correction values is set based on a darkness of N lines that are adjacent to one another in said intersecting direction. In order to have a line group including a plurality of lines arranged in the intersecting direction that intersects the movement direction, it must that a controller for making a plurality of the nozzles that move in a predetermined movement direction. Further, in order set for each of said lines a correction value for correcting a darkness in said intersecting direction of an image to be printed on said medium, wherein each of said correction values is set based on a darkness of N lines that are adjacent to one another in said intersecting direction, it must have the condition of correcting a darkness of each of the lines in accordance with correction values each corresponding to a darkness of each line in the correction pattern. Thus, the above described difference between the claims are obvious variations of each other.

Claim Rejections - 35 USC § 101

8. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

9. Claim 27 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter as follows:

Claim 27, an independent claim, is directed to a test pattern claim, in which a test pattern comprising a correction pattern constituted by a plurality of lines. The claim invention does not fall within at least one of the four categories of patent eligible subject matter recited in 35 U.S.C. 101 (process, machine, manufacture, or composite of matter). A test pattern is a printed matter and a mere arrangement of printed lines, and it is not a process, a machine or a composite of matter. Although a test pattern has a plurality of lines is not “manufacture” either. A test pattern with a plurality of lines, though seemingly a “manufacture,” is rejected as not being within the statutory classes. See *In re Miller*, 418 F.2d 1392, 164 USPQ 46 (CCPA 1969); *Ex parte Gwinn*, 112 USPQ 439 (Bd. App. 1955); and *In re Jones*, 373 F.2d 1007, 153 USPQ 77 (CCPA 1967).

Therefore, “a test pattern comprising a correction pattern constituted by a plurality of lines” is considered non-statutory because it does not fall within any of the four statutory classes of 35 U.S.C. §101 as discussed above.

Claim Rejections - 35 USC § 112

10. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

11. Claims 7 and 24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 7, limitation recites, "wherein the at least two processing modes include at least either a downstream edge processing mode for printing an image at an edge portion on a downstream side, with respect to the intersecting direction, of the medium, and an upstream edge processing mode for printing an image at an edge portion on an upstream side, with respect to the intersecting direction, of the medium", (emphasis added by the examiner). Applicant uses the word "either" to set an option of selection, i.e. one or the other. However, when applicant uses "either" and "and" together, then the claim limitation becomes unclear such that is it still a selective of one or the other, or both conditions to be met? Claim 24 recites the similar limitation as claim 7. Thus claim 24 is rejected under 35 U.S.C. section 112, second paragraph for the same reason discussed in the rejection of claim 7 in this section.

The examiner will interpret the claim limitation in light with the specification with reasonable broadest interpretation to the claims, i.e. the process mode includes either a downstream edge process mode or an upstream edge process mode.

Claim Rejections - 35 USC § 102

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

13. Claims 1-6, 15-23, and 25-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Inoue et al (US 6,354,688).

Regarding claim 26.

Inoue discloses A printing system (*i.e. the system of Figs. 1 and 22*), comprising: a computer (*i.e. external calculating device 2 or a computer of Figs. 1 and 22, col 3, lines 60-67*); and

a printing apparatus connected communicably to the computer (*i.e. Printer 1 and computer 2 of Figs. 1 and 22, col 3, lines 60-67*); the printing apparatus including: nozzles for ejecting ink (*i.e. printer head has nozzles for effective printing, col 4, lines 27-37*); and

a controller (*i.e. print control device 15 of Fig. 1, col 4, lines 1-10*) for making a plurality of the nozzles that move in a predetermined movement direction eject ink to form (*i.e. referring to Figs. 6 and 7, print head, i.e. nozzles move in forward and backward direction, i.e. a predetermined direction as shown in the figure, col 6, lines 1-18*), in an intersecting direction intersecting the movement direction (*i.e. cloth feeding direction is intersecting the movement direction of nozzles as shown in Fig. 7, col 6, lines 1-18*), a plurality of lines extending along the movement direction and constituted by a plurality of dots (*i.e. referring to Figs. 2, 6 and 8, col 7, line 66 to col 8, line 29*), to print a correction pattern (*i.e. referring to Fig. 8, example of density correcting patterns, and printing a pattern with correction data, col 2, lines 55-60*), the controller printing the image with a plurality of the lines formed in the intersecting

direction (i.e. referring to Figs. 2, 6, 7 and 8, image is printed in the intersection direction to the movement direction of print head, or nozzles, col 5, lines 48-61), while correcting a darkness of each of the lines in accordance with correction values each corresponding to a darkness of each line in the correction pattern (i.e. different gradation values, i.e. density value, reflect different darkness, i.e. gradation values 0 to 255 and 255 is completely white, col 8, line 64 to col 9, line 4, and col 1, lines 12-46, and col 2, lines 37-67).

Regarding claim 25.

Claim 25 is directed to a printing apparatus claim which substantially corresponds to the operation of the device in claim 26, with identical features corresponding directly to the function of device elements in claim 26. Thus claim 26 is rejected as set forth above for claim 26.

Regarding claim 27.

Claim 27 is directed to a test pattern claim which substantially corresponds to operation of the device in claim 26, with method steps directly corresponding to the function of device elements in claim 26. Thus, claim 27 is rejected as set forth above for claim 26.

Regarding claim 1.

Claim 1 is directed to a printing method claim which substantially corresponds to operation of the device in claim 26, with method steps directly corresponding to the function of device elements in claim 26. Thus, claim 1 is rejected as set forth above for claim 26.

Regarding claim 2, in accordance with claim 1.

Inoue discloses wherein a plurality of the lines are formed in the intersecting direction by repeating in alternation a dot formation operation of forming dots on the medium by ejecting ink from a plurality of the nozzles moving in the movement direction and a carrying operation of carrying the medium in the intersecting direction (**i.e. referring to Figs. 2, 6, 7 and 8, dots and lines are formed in the direction intersecting to the movement direction of nozzles, col 5, lines 47-61**).

Regarding claim 3, in accordance with claim 2.

Inoue discloses wherein a printing apparatus printing the image onto the medium (**i.e. referring to Fig. 6, it shows a print head printing on a recording medium**), includes a plurality of types of processing modes (**i.e. forward direction printing and backward direction printing**) for respectively executing print processes in which at least one of the carrying operation and the dot formation operation differs (**i.e. referring to Figs. 5 & 6, process of forward and backward printing and dot sizes are different, col 5, lines 47-61**); prints, with at least two of the processing modes (**i.e. alternately printing dots in Front head or F head and Rear head or R head in SMS, or sequential multiscan system and the processes of 2-5 in col 4, lines 53-63**), a correction pattern corresponding to each of the processing modes on a medium (**i.e. density correction print pattern is composed, col 6, lines 22-35**), and has the correction values (**i.e. correcting data, col 2, lines 31-36 and correction tables in Fig. 10 and col 7, lines 54-62**), which are obtained by measuring the darkness of the correction pattern line by line, in

correspondence with each line (i.e. i.e. different gradation values, i.e. density value, reflect different darkness, i.e. gradation values 0 to 255 and 255 is completely white, col 8, line 64 to col 9, line 4, and col 1, lines 12-46, and col 2, lines 37-67); and corrects the darkness of the image line by line, in accordance with the correction values corresponding to each line of the image, when printing the image in any of the processing modes with which the correction pattern was printed (i.e. a forming unit for correcting read data obtained by reading the images formed by the image forming part using the correction data of the image reading part and comparing the corrected data with standard values previously set in accordance with the kinds of recording agents so as to form the processing conditions, col 2, lines 37-67).

Regarding claim 4, in accordance with claim 3.

Inoue discloses wherein the correction pattern corresponding to each of the processing modes is printed to fit on a single medium (i.e. in the correction of unevenness process, the correction pattern is printed in a single medium as shown in Fig. 8).

Regarding claim 5, in accordance with claim 1.

Inoue discloses wherein a plurality of the nozzles is lined up along the intersecting direction to constitute a nozzle row (i.e. referring to Fig. 7, nozzle movement direction intersecting cloth feeding direction).

Regarding claim 6, in accordance with claim 5.

Inoue discloses wherein a printing apparatus printing the image onto the medium comprises the nozzle row for each color of ink (i.e. the printer of Fig. 1 has print

heads each has nozzles for each color, col 4, lines 20-40); the correction value is prepared for each of the colors by printing the correction pattern for each of the colors (i.e. correction data and correction table are prepared for each nozzle and color because of gradation density of each color are different, col 7, lines 57-62); and the darkness of the image is corrected color by color, based on the correction values for each of the colors (i.e. since correction data and correction table are set for each nozzle or color, the darkness or gradation density correction has to be color by color, col 7, lines 57-62 and col 8, lines 31-39).

Regarding claim 15, in accordance with claim 1.

Inoue discloses wherein ruled lines extending along the movement direction for specifying a line during the measurement when measuring the darkness of the correction pattern line by line are formed in the correction pattern at a predetermined spacing in the intersecting direction (i.e. referring to Figs. 8, 10, 11, and 16, **correction data is based on the measurement of gradation density, or darkness of dots and lines are formed with dots; spacing between dots are preset, or predetermined, col 7, lines 57-65 and col 11, lines 49-57**).

Regarding claim 16, in accordance with claim 1.

Inoue discloses wherein image data for printing the image is prepared (i.e. **converting the stored multi-value image data into actual print data, a print data storing device 13 for temporarily storing the print data produced by the image processing device, col 4, lines 1-10**), and the image data has a gradation value of the darkness for each dot formation unit formed on the medium (i.e. **the density of the**

gradation part of printed image data L is measured. The average value of 256 pixels is calculated in the printing direction in the gradation part, col 7, lines 16-21; if a correction value is not associated with the formation units, then a creation ratio (i.e. forming dots based on gradation value, i.e. forming dots based on correction data of gradation value, col 10, lines 18-32) corresponding to the gradation value of the formation units is read from a creation ratio table in which gradation values are associated with dot creation ratios (i.e. referring to Fig. 10, correction table corresponding to the gradation value, or creation ratio corresponding to gradation value for forming dots, col 7, lines 57-62), and dots are formed in the formation units on the medium in accordance with the read creation ratio (i.e. referring to Fig. 16, 8 gradations for dots are formed, and Figs. 20 and 21 provide for more details of gradation level, col 10, lines 18-31); and if a correction value is associated with the formation units, then when reading the creation ratio corresponding to the gradation value from the creation ratio table (i.e. referring to Figs. 10, 16, 20 and 21, correction data is associated with printing, col 7, lines 56-61), the creation ratio corresponding to a value obtained by changing the gradation value by the correction value is read, and dots are formed in the formation units on the medium in accordance with the read creation ratio (i.e. referring to Figs. 10, 16 20 and 21, correction data and correction table are set corresponding gradation value and level, col 7, lines 45-67).

Regarding claim 17, in accordance with claim 1.

Claim 17 recites identical features as claim 16. Thus, arguments similar to that presented above for claim 16 are also equally applicable to claim 17.

Regarding claim 18, in accordance with claim 16.

Inoue discloses wherein the dot creation ratio indicates a proportion of a number of dots formed inside a region that has a uniform gradation value and that is provided with a predetermined number of the formation units, to that predetermined number (**referring to Fig. 8, and 16, correction pattern has more than 2 bands and each has uniform gradation value; that is, number of dots are formed inside a region having uniform gradation value, col 12, lines 10-21**).

Regarding claim 19, in accordance with claim 1.

Claim 19 recites identical features as claim 18. Thus, arguments similar to that presented above for claim 18 are also equally applicable to claim 19.

Regarding claim 20, in accordance with claim 19.

Inoue discloses wherein an average value, across all lines, of darkness measurement values measured line by line is taken as a target value of darkness (**i.e. the density of the gradation part of printed image data L is measured. The average value of 256 pixels is calculated in the printing direction in the gradation part, col 7, lines 16-21**); and a correction ratio obtained by dividing a deviation between this target value (**i.e. standard value**) and the darkness measurement value of each line by the target value is taken as the correction value (**i.e. preparing the correction data using a standard value corresponding to the kind of a recording agent for printing a pattern, col 2, lines 55-67**).

Regarding claim 21, in accordance with claim 16.

Inoue discloses wherein the nozzles can form dots of a plurality of sizes (**i.e. BJ type printer forms dots and size of dots are not equal, col 11, lines 18-24**); and the relation between the creation ratios and the gradation values is given for each of the sizes in the creation ratio table (**i.e. referring to Figs. 10, 16, 20 and 21, teach different gradation values and dots having different diameters are generated, col 5, lines 44-61**).

Regarding claim 22, in accordance with claim 1.

Inoue discloses wherein a darkness of the correction pattern is measured optically using a darkness measurement device (**i.e. “the density of the gradation part of printed image data L is measured”, that is, the darkness of correction patter must be measured by an optical device, i.e. a scanner, a reading device of Fig. 22 and Fig. 23, col 13, lines 4-24**).

Regarding claim 23, in accordance with claim 3.

Inoue discloses wherein the print processes (**i.e. forward printing vs. backward printing**) in which the carrying operation differs from one another are print processes in which the pattern according to which the carry amount of each carrying operation changes is different from one another (**i.e. the printing processes of forward and backward are different to each other, i.e. dot size are different as shown in Fig. 6, this indicates that the carry amount is different in between these processes, col 5, lines 44-62**); and the print processes in which the dot formation operation differs from one another are print processes in which the pattern according to which the nozzles that

is used in each dot formation operation changes is different from one another (**as discussed above, dot formation in forward printing is different than the backward printing as shown in Fig. 6.**)

Regarding claim 28, in accordance with claim 17.

Inoue discloses wherein the dot creation ratio indicates a proportion of a number of dots formed inside a region that has a uniform gradation value and that is provided with a predetermined number of the formation units, to that predetermined number (i.e. referring to Fig. 8, and 16, correction pattern has more than 2 bands and each has uniform gradation value; that is, number of dots are formed inside a region having uniform gradation value, col 12, lines 10-21 and the reference gradation pattern is configured by eight gradations as shown in FIG. 16, i.e. predetermined forming unit of 8, col 10, lines 18-32).

Regarding claim 29, in accordance with claim 17.

Claim 29 recites identical features as claim 21. Thus, arguments similar to that presented above for claim 21 are also equally applicable to claim 29.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

15. Claims 7, 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue et al (US 6,354,688) as applied to claim 3 above, and in view of Otsuki (US 2002/0175962)

Regarding claim 7, in accordance with claim 3.

Inoue discloses printing image data on a medium intersecting the movement direction of nozzle (**i.e. cloth feeding direction is intersecting the movement direction of nozzles as shown in Fig. 7, col 6, lines 1-18**).

Inoue does not disclose wherein the at least two processing modes include at least either a downstream edge processing mode for printing an image at an edge portion on a downstream side, with respect to the intersecting direction, of the medium, and an upstream edge processing mode for printing an image at an edge portion on an upstream side, with respect to the intersecting direction, of the medium.

In the same field of endeavor, Otsuki teaches wherein the at least two processing modes include at least either a downstream edge processing mode for printing an image at an edge portion on a downstream side, with respect to the intersecting direction, of the medium , and an upstream edge processing mode for printing an image at an edge portion on an upstream side, with respect to the intersecting direction, of the medium (**i.e. referring to Figs. 2, 4 and 6 for both lower and upper edge printing process, Par. 93-94**).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Inoue to include that the at least two processing

modes include at least either a downstream edge processing mode for printing an image at an edge portion on a downstream side, with respect to the intersecting direction, of the medium, and an upstream edge processing mode for printing an image at an edge portion on an upstream side, with respect to the intersecting direction, of the medium as taught by Otsuki to improve printing quality of printing image on an edge, i.e. upper or lower or transition area, with a predictable result.

Regarding claim 10, in accordance with claim 7.

Inoue discloses printing the correction pattern (**i.e. referring to Fig. 8, example of density correcting patterns, and printing a pattern with correction data, col 2, lines 55-60**).

Inoue does not teach wherein the upstream edge processing mode is printed at the edge portion on the upstream side of the medium.

Otsuki teaches wherein the upstream edge processing mode is printed at the edge portion on the upstream side of the medium (**i.e. referring to Figs. 2, 4 and 6 for both lower and upper edge printing process, Par. 93-94**).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Inoue to include that the upstream edge processing mode is printed at the edge portion on the upstream side of the medium as taught by Otsuki to improve printing quality of printing image on an edge, i.e. upper or lower or transition area with a predictable result.

Regarding claim 11, in accordance with claim 7.

Inoue discloses printing the correction pattern (**i.e. referring to Fig. 8, example of density correcting patterns, and printing a pattern with correction data, col 2, lines 55-60**).

Inoue does not teach wherein the upstream edge processing mode is printed at the edge portion on the downstream side of the medium.

Otsuki teaches wherein the downstream edge processing mode is printed at the edge portion on the downstream side of the medium (**i.e. referring to Figs. 2, 4 and 6 for both lower and upper edge printing process, Par. 93-94**).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Inoue to include that the downstream edge processing mode is printed at the edge portion on the upstream side of the medium as taught by Otsuki to improve printing quality of printing image on an edge, i.e. upper or lower or transition area with a predictable result.

Regarding claim 12, in accordance with claim 7.

Inoue discloses printing an image on a medium with respect to the intersecting direction (**i.e. cloth feeding direction is intersecting the movement direction of nozzles as shown in Fig. 7, col 6, lines 1-18**).

Inoue does not teach wherein the at least two processing modes include an intermediate processing mode for printing an image on a portion between the edge portion on the upstream side of the medium and the edge portion on the downstream side of the medium.

Otsuki teaches wherein the at least two processing modes include an intermediate processing mode for printing an image on a portion between the edge portion on the upstream side of the medium and the edge portion on the downstream side of the medium (**i.e. printing image data in the transition area, i.e. lower and upper edge contacting region, Par. 10**).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Inoue to include that wherein the at least two processing modes include an intermediate processing mode for printing an image on a portion between the edge portion on the upstream side of the medium and the edge portion on the downstream side of the medium as taught by Otsuki to improve printing quality of printing image on an edge, i.e. upper or lower or transition area with a predictable result.

Regarding claim 13, in accordance with claim 12.

Inoue does not teach wherein the intermediate processing mode and at least one of the downstream edge processing mode and the upstream edge processing mode have a different carry amount in the carrying operation.

Otsuki teaches wherein the intermediate processing mode and at least one of the downstream edge processing mode and the upstream edge processing mode have a different carry amount in the carrying operation (**i.e. in printing image data in the transition area, lower-edge color mode printing is executed whereby sub-scans are performed in a second sub-scan mode in which a maximum sub-scan feed**

increment is less than a maximum sub-scan feed increment of the first sub-scan mode, par 29).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Inoue to include that the intermediate processing mode and at least one of the downstream edge processing mode and the upstream edge processing mode have a different carry amount in the carrying operation as taught by Otsuki to improve printing quality of printing image on an edge, i.e. upper or lower or transition area with a predictable result.

Regarding claim 14, in accordance with claim 1.

Inoue teaches a correction value for a region that is judged; the intersecting direction of the medium on which the image is printed; this correction value is obtained by arranging the medium at a position corresponding to the region, printing the correction pattern on this medium, and measuring the darkness of this correction pattern line by line (**i.e. see the above discussions for prior arts teaching these limitations in claim 1)**

Inoue does not teach wherein there is also a correction value for a region that is judged to be further upstream than the edge portion on the upstream side, or for a region that is judged to be further downstream than the edge portion on the downstream side.

Otsuki teaches wherein there is also a correction value for a region that is judged to be further upstream than the edge portion on the upstream side, or for a region that is judged to be further downstream than the edge portion on the downstream side (**i.e. “In**

the upper-edge color mode printing, color mode main scans may be preferably performed at least (kc-1) times alternately with sub-scans in which the plurality of single chromatic nozzle groups and specific achromatic nozzle group are used”, that is a correction value for a region that is judged to be further upstream than the edge portion on the upstream side, par. 14).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Inoue to include that there is also a correction value for a region that is judged to be further upstream than the edge portion on the upstream side, or for a region that is judged to be further downstream than the edge portion on the downstream side as taught by Otsuki to improve printing quality of printing image on an edge, i.e. upper or lower or transition area with a predictable result.

16. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue et al (US 6,354,688) in view of Otsuki (US 2002/0175962) as applied to claim 7 above, and further in view of Arima et al (US 6,692,097)

Regarding claim 8, in accordance with claim 7.

Inoue does not teach wherein the downstream edge processing mode and the upstream edge processing mode respectively are modes for printing an image provided without a margin at the edge portion.

Otsuki teaches wherein the downstream edge processing mode and the upstream edge processing mode (**i.e. referring to Figs. 2, 4 and 6 for both lower and upper edge printing process, Par. 93-94**); and

Arima teaches printing an image provided without a margin at the edge portion (i.e. In step SB11, it is judged whether the printing will be performed with the margin along all the edges of the printing medium or the printing is performed without the margin along a portion or all of the edges of the printing medium, col 13, lines 59-65).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Inoue to include that the downstream edge processing mode and the upstream edge processing mode as taught by Otsuki to improve printing quality of printing image on an edge, i.e. upper or lower or transition area; and then to modify the combination of Inoue and Otsuki to include printing an image provided without a margin at the edge portion as taught by Arima since doing so would improve the printing process in an edge area with or without a margin with a predictable result.

Regarding claim 9, in accordance with claim 7.

Inoue does not teach wherein the downstream edge processing mode and the upstream edge processing mode respectively include modes for printing an image provided with a margin at the edge portion.

Otsuki teaches wherein the downstream edge processing mode and the upstream edge processing mode (**i.e. referring to Figs. 2, 4 and 6 for both lower and upper edge printing process, Par. 93-94**); and

Arima teaches printing an image provided with a margin at the edge portion (i.e. In step SB11, it is judged whether the printing will be performed with the margin along

all the edges of the printing medium or the printing is performed without the margin along a portion or all of the edges of the printing medium, col 13, lines 59-65).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Inoue to include that the downstream edge processing mode and the upstream edge processing mode as taught by Otsuki to improve printing quality of printing image on an edge, i.e. upper or lower or transition area; and then to modify the combination of Inoue and Otsuki to include printing an image provided without a margin at the edge portion as taught by Arima since doing so would improve the printing process in an edge area with or without a margin with a predictable result.

17. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue et al (US 6,354,688) and Otsuki (US 2002/0175962) and in view of Arima et al (US 6,692,097)

Inoue discloses a printing method for printing an image onto a medium, the method comprising:

printing a correction pattern by ejecting ink from a plurality of nozzles moving in a predetermined movement direction and forming, in an intersecting direction intersecting the movement direction, a plurality of lines extending along the movement direction and constituted by a plurality of dots; measuring a darkness of the correction pattern line by line; and printing the image with a plurality of the lines formed in the intersecting direction, while correcting the darkness of each line in accordance with correction

values each corresponding to the darkness of each of the measured lines (**limitations, i.e. method steps in this part are substantially corresponds to the method steps of claim 1.** Thus, the **limitations in this part are rejected as set forth above for claim 1**); and

wherein a plurality of the lines are formed in the intersecting direction by repeating in alternation a dot formation operation of forming dots on the medium by ejecting ink from a plurality of the nozzles moving in the movement direction and a carrying operation of carrying the medium in the intersecting direction (**limitations, i.e. method steps in this part are substantially corresponds to the method steps of claim 2.** Thus, the

limitations in this part are rejected as set forth above for claim 2); and

a printing apparatus printing the image onto the medium, includes a plurality of types of processing modes for respectively executing print processes in which at least one of the carrying operation and the dot formation operation differs; prints, with at least two of the processing modes, a correction pattern corresponding to each of the processing modes on a medium, and has the correction values, which are obtained by measuring the darkness of the correction pattern line by line, in correspondence with each line; and corrects the darkness of the image line by line, in accordance with the correction values corresponding to each line of the image, when printing the image in any of the processing modes with which the correction pattern was printed (**limitations, i.e.**

method steps in this part are substantially corresponds to the method steps of the method in claim 3. Thus, the **limitations in this part are rejected as set forth above for claim 3**); and

the correction pattern corresponding to each of the processing modes is printed to fit on a single medium (**limitations, i.e. method steps in this part are substantially corresponds to the method steps of claim 4. Thus, the limitations in this part are rejected as set forth above for claim 4**); and

a plurality of the nozzles is lined up along the intersecting direction to constitute a nozzle row (**limitations, i.e. method steps in this part are substantially corresponds to the method steps of claim 5. Thus, the limitations in this part are rejected as set forth above for claim 5**); and

a printing apparatus printing the image onto the medium comprises the nozzle row for each color of ink, the correction value is prepared for each of the colors by printing the correction pattern for each of the colors, and the darkness of the image is corrected color by color, based on the correction values for each of the colors (**limitations, i.e. method steps in this part are substantially corresponds to the method steps of claim 6. Thus, the limitations in this part are rejected as set forth above for claim 6**); and

the at least two processing modes include at least either a downstream edge processing mode for printing an image at an edge portion on a downstream side, with respect to the intersecting direction, of the medium, and an upstream edge processing mode for printing an image at an edge portion on an upstream side, with respect to the intersecting direction, of the medium (**limitations, i.e. method steps in this part are substantially corresponds to the method steps of claim 7. Thus, the limitations in this part are rejected as set forth above for claim 7**)

7); and

the downstream edge processing mode and the upstream edge processing mode respectively are modes for printing an image provided without a margin at the edge portion (**limitations, i.e. method steps in this part are substantially corresponds to the method steps of the method in claim 18. Thus, the limitations in this part are rejected as set forth above for claim 18**); and

the correction pattern printed by the upstream edge processing mode is printed at the edge portion on the upstream side of the medium; the correction pattern printed by the downstream edge processing mode is printed at the edge portion on the downstream side of the medium (**limitations, i.e. method steps in this part are substantially corresponds to the method steps of claim 10. Thus, the limitations in this part are rejected as set forth above for claim 10**); and

the at least two processing modes include an intermediate processing mode for printing an image on a portion between the edge portion on the upstream side of the medium and the edge portion on the downstream side of the medium with respect to the intersecting direction (**limitations, i.e. method steps in this part are substantially corresponds to the method steps of claim 12. Thus, the limitations in this part are rejected as set forth above for claim 12**); and

the intermediate processing mode and at least one of the downstream edge processing mode and the upstream edge processing mode have a different carry amount in the carrying operation (**limitations, i.e. method steps in this part are substantially corresponds to the method steps of claim 13. Thus, the limitations in this part are**

rejected as set forth above for claim 13); and

there is also a correction value for a region that is judged to be further upstream than the edge portion on the upstream side, or for a region that is judged to be further downstream than the edge portion on the downstream side in the intersecting direction of the medium on which the image is printed; and this correction value is obtained by arranging the medium at a position corresponding to the region, printing the correction pattern on this medium, and measuring the darkness of this correction pattern line by line (**limitations, i.e. method steps in this part are substantially corresponds to the method steps of claim 14. Thus, the limitations in this part are rejected as set forth above for claim 14); and**

ruled lines extending along the movement direction for specifying a line during the measurement when measuring the darkness of the correction pattern line by line are formed in the correction pattern at a predetermined spacing in the intersecting direction (**limitations, i.e. method steps in this part are substantially corresponds to the method steps of claim 15. Thus, the limitations in this part are rejected as set forth above for claim 15); and**

image data for printing the image is prepared, and the image data has a gradation value of the darkness for each dot formation unit formed on the medium; if a correction value is not associated with the formation units, then a creation ratio corresponding to the gradation value of the formation units is read from a creation ratio table in which gradation values are associated with dot creation ratios, and dots are formed in the formation units on the medium in accordance with the read creation ratio; and if a

correction value is associated with the formation units, then when reading the creation ratio corresponding to the gradation value from the creation ratio table, the creation ratio corresponding to a value obtained by changing the gradation value by the correction value is read, and dots are formed in the formation units on the medium in accordance with the read creation ratio (**limitations, i.e. method steps in this part are substantially corresponds to the method steps of claim 16. Thus, the limitations in this part are rejected as set forth above for claim 16**); and

the dot creation ratio indicates a proportion of a number of dots formed inside a region that has a uniform gradation value and that is provided with a predetermined number of the formation units, to that predetermined number (**limitations, i.e. method steps in this part are substantially corresponds to the method steps of claim 18. Thus, the limitations in this part are rejected as set forth above for claim 18**); and

all lines in the correction pattern are printed based on the same gradation value; an average value, across all lines, of darkness measurement values measured line by line is taken as a target value of darkness (**limitations, i.e. method steps in this part are substantially corresponds to the method steps of claim 21. Thus, the limitations in this part are rejected as set forth above for claim 21**); and

and a correction ratio obtained by dividing a deviation between this target value and the darkness measurement value of each line by the target value is taken as the correction value (**limitations, i.e. method steps in this part are substantially corresponds to the method steps of claim 19. Thus, the limitations in this part are rejected as set forth above for claim 19**); and

the nozzles can form dots of a plurality of sizes, and the relation between the creation ratios and the gradation values is given for each of the sizes in the creation ratio table

(limitations, i.e. method steps in this part are substantially corresponds to the method steps of claim 29. Thus, the limitations in this part are rejected as set forth above for claim 29); and

a darkness of the correction pattern is measured optically using a darkness measurement device **(limitations, i.e. method steps in this part are substantially corresponds to the method steps of claim 22. Thus, the limitations in this part are rejected as set forth above for claim 22); and**

the print processes in which the carrying operation differs from one another are print processes in which the pattern according to which the carry amount of each carrying operation changes is different from one another; and

the print processes in which the dot formation operation differs from one another are print processes in which the pattern according to which the nozzles that is used in each dot " formation operation changes is different from one another **(limitations, i.e. method steps in this part are substantially corresponds to the method steps of claim 23. Thus, the limitations in this part are rejected as set forth above for claim 23).**

Conclusion

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Kau whose telephone number is 571-270-1120 and fax number is 571-270-2120. The examiner can normally be reached on M-F, 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Steven Kau/
Examiner, Art Unit 2625
2/20/2009

/David K Moore/
Supervisory Patent Examiner, Art Unit 2625